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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/726,120
	Filing Date	Dec 2, 2003
	First Named Inventor	Horwitz, David James
	Art Unit	1772
	Examiner Name	Loney, Donald J.
Total Number of Pages in This Submission	Attorney Docket Number	DUR-16

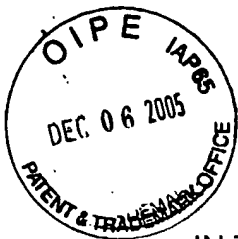
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Firm Name	J. Bennett Mullinax		
Signature	<i>J. Bennett Mullinax</i>		
Printed name	J. Bennett Mullinax		
Date	December 2, 2005	Reg. No.	36221

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PATENT

ATTORNEY DOCKET NO.: DUR-16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Horwitz ) Examiner: Loney, Donald J.  
S/N: 10/726,120 ) Art Unit: 1772  
Filed: 12/02/2003 ) Conf. No.: 3563  
Title: Repairable Thermoplastic Article )

STATEMENT UNDER 37 CFR §1.97 ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

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Dear Sir:

Applicant hereby certifies that:

37 CFR §1.97(b)

/\_/The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR §1.97(c)

/\_/The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b) provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

- ☐ the statement specified in 37 CFR 1.97(e); OR
- ☐ the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97 (d)

☐ /The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97(e)

☒ /Statement under 37 CFR 1.97(e)(1) – Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

☐ / Statement under 37 CFR 1.97(e)(2) – No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersign person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

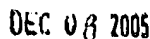
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Respectfully submitted,

J. BENNETT MULLINAX, LLC



J. Bennett Mullinax  
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Application Number	10/726,120
Filing Date	12/02/2003
First Named Inventor	David J. Horwitz
Art Unit	1772
Examiner Name	Loney, Donald J.
Attorney Docket Number	DUR-16

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

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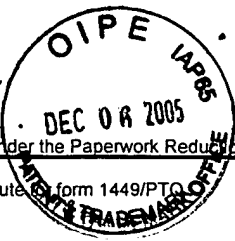
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**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Application Number	10/726,120
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First Named Inventor	David J. Horwitz
Art Unit	1772
Examiner Name	Loney, Donald J.
Attorney Docket Number	DUR-16

Sheet 2 of 2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		International Search Report, PCT/US04/40287, Washington, DC, 09/07/2005, 3 pp.	

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